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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hong Jin *et al.*

Application No.: 09/923,070

Filed: August 6, 2001

For: RECOMBINANT RSV EXPRESSION SYSTEMS
AND VACCINES

Confirmation No.: 1768

Group Art Unit: 1648

Examiner: Lucas, Zachariah

Attorney Docket No.: 7682-059-999

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JUN 27 2003
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RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 C.F.R. § 1.142

Commissioner For Patents
PO Box 1450
Alexandria, Virginia 22313-1450

S I R:

In response to the Office Action mailed April 21, 2003, please enter the remarks made herein in the record of the above-identified application. Applicants submit concurrently herewith a Petition for Extension of Time under 37 C.F.R. § 136(a) for one month from May 21, 2003 to and including June 21, 2003.

The due-date for response to the Office action with a one-month extension of time falls on a Saturday (June 21, 2003). Therefore, Applicants' submission by Express Mail on Monday, June 23, 2003, is timely according to 37 C.F.R. § 1.7(a).

REMARKS

First, Applicants want to thank Examiner Lucas for the telephonic interview of April 28, 2003 with Applicants representative in connection with the present requirement for restriction. In the Office communication of April 21, 2003, it is alleged that Applicant stated in their response to the Office communication of November 4, 2002 that the new claims do not fall within the restriction groups of the requirement for restriction of November 4, 2003. In their response, however, Applicants have elected restriction group VI and have asserted that the new claims read on restriction group VI. In the telephone interview of April 28 2003, Examiner Lucas clarified that Applicants failed to elect one of the subgroups of restriction group VI. Examiner Lucas further indicated that upon election